

HUNTINGTON BEACH POLICE DEPARTMENT

CITIZEN COMPLAINT REPORTING PROCEDURE



IN PARTNERSHIP WITH THE COMMUNITY.....

ORGANIZATIONAL VALUES OF THE HUNTINGTON BEACH POLICE DEPARTMENT

We of the Huntington Beach Police Department recognize our obligation to help maintain a safe and secure community. We acknowledge our contribution to the quality of life within the community. The provision of quality services with the highest professional standards is our primary aspiration. We intend to fulfill these challenging responsibilities through active participation in the following shared values:

SERVICE TO OUR COMMUNITY

We value the opportunity to provide service which is courteous, responsive, firm, efficient, and fair. We regard the members of our community as partners and indispensable resources in a combined policing effort. Respect for the individual worth, dignity, and rights of all those we serve is the foundation of our department

INTEGRITY

We value and expect truth, honesty, and ethical behavior from the members of our organization. We are committed to upholding our position of public trust by maintaining the highest ethical standards and the utmost respect for the ordinances and laws of our city, state and nation. Our role as peace keepers and enforcers of the law will not be compromised.

EMPLOYEES

We value our fellow employees as the most important organizational asset. We realize our success depends on mutual respect, cooperation, and recognition of our co-workers. All employees will receive equitable and fair treatment and be provided the proper tools and training necessary to meet organizational goals and objectives.

PROFESSIONALISM

We value the spirit of professionalism, having a clear sense of commitment, perspective, and direction. We encourage it by creating an environment that promotes teamwork, innovation, and constant evaluation of ourselves.

PRIDE AND ENJOYMENT OF OUR PROFESSION

We value our work as a source of enjoyment and satisfaction. We are proud of our community, our department, our accomplishments in the service, and our commitment to quality law enforcement. We possess a great sense of pride serving our chosen profession with the Huntington Beach Police Department.

Dear Concerned Citizen:

The primary goal of the Huntington Beach Police Department is to maintain a partnership with the community, resulting in a safer community and an enhanced quality of life. However, the employees of this Department, like all other human beings, will sometimes fall short of the Department's goals and standards. This may cause dissatisfaction with community members, who are welcome to voice their concerns to the Department.

When the Police Department receives a complaint, a comprehensive investigation will be conducted. The primary goal of the investigation is to remedy the community's concerns while fortifying the trust that the community has bestowed on the Department. During the investigation everything possible will be done to establish what occurred during the incident, and when appropriate, remedial action will be taken to ensure that the affected employee complies with the Department's goals and standards.

In this regard, I can promise you that every investigation will be handled in a prompt, fair, and professional manner. I will personally review every investigation in an attempt to satisfy your concerns.

I wish to thank you for your concern regarding the safety of your community. Your inquiry will be of great assistance in helping the Department meet its objective of a safer community and an enhanced quality of life for all.

Sincerely,

A handwritten signature in black ink that reads "Kenneth W. Small". The signature is written in a cursive, flowing style with a large, stylized "K" and a long, sweeping underline.

Kenneth W. Small
Chief of Police

As partners with the community, employees of the Huntington Beach Police Department will make several hundred thousand contacts with the community annually. In the course of working with the community, thousands of these contacts will result in arrests for felony or misdemeanor charges, the issuance of citations, or temporary detentions. These actions may materially affect the lives of the community members.

As partners with the community, we fully realize that our involvement in these complex and often emotional situations may not always result in actions that are acceptable to all of the involved parties. Each decision should be made after careful consideration of the available facts and with great regard to the individual's rights. However, Police Department employees, like all human beings, will sometimes make mistakes that warrant a complaint of the employee's actions. It is the goal of the Huntington Beach Police Department to ensure that employees learn from mistakes, and to take corrective action as is necessary.

As partners with the community, we recognize our responsibility to listen to these complaints and thoroughly investigate allegations made against Department personnel. In recognizing our obligations, we have developed a convenient system that provides a citizen with an opportunity to register his or her complaint. This pamphlet was designed to assist the concerned citizen, by outlining the complaint procedure with the sincere desire to satisfy his or her concerns.

WHO CAN FILE A COMPLAINT?

Anyone who receives information that a Police Department employee has acted in an improper manner in the delivery of service to this community is encouraged to contact the Police Department.

WHO TO CONTACT REGARDING A COMPLAINT

Any concerned citizen should feel free to contact the on-duty Watch Commander, the Professional Standards Unit, or any other supervisor. The Watch Commander is available at any time (24 hours a day / seven days a week) and may be contacted at (714) 960-8800. The Professional Standards Unit is commonly referred to as the Internal Affairs Unit. The Professional Standards Unit usually works normal business hours and may be contacted at (714) 536-5693 or (714) 536-5939. Additionally, the Professional Standards Unit may be contacted by email at psu@hbpd.org.

HOW CAN A COMPLAINT BE FILED?

A complaint may be filed by contacting the Police Department and furnishing the complete details of the incident, including the names of any other involved parties. The complainant does not have to file the complaint at the Police Department. To accommodate the complainant, the Department will often make arrangements to have a supervisor meet the complainant at his or her residence, place of employment, or other agreeable location.

While personal contact is desirable, initial complaints may be made by telephone, letter, or e-mail. However, it will be necessary for the complainant to eventually complete a written statement and remain available for a personal interview.

ACCEPTANCE OF COMPLAINT

As a partner with the community, it is the policy of the Huntington Beach Police Department that all complaints of improper service or conduct, which are a violation of policy or law, be accepted and investigated.

WHO WILL INVESTIGATE THE COMPLAINT?

A Police Department supervisor will investigate the complaint. The supervisor may be the direct supervisor of the affected employee, or a supervisor assigned to the Professional Standards Unit.

HOW THOROUGH WILL THE INVESTIGATION BE?

In order to maintain public trust and to provide professional service to the community; a thorough and objective investigation will be conducted. The purpose of the investigation is to disclose the detailed truth of the incident. Every reasonable effort will be expended to satisfactorily conclude the investigation in a timely manner. The investigating supervisor will make every effort to complete the investigation within 90 calendar days if possible. The complainant should receive notification of the results of the investigation within 30 days of its conclusion.

WHO MAKES THE FINAL DECISION?

The Chief of Police personally reviews all citizens' complaint investigations. After considering all available information, the Chief of Police makes the final decision on the validity of the complaint. If the complaint is sustained, verifying that an act of misconduct occurred, the Chief of Police will take appropriate action to remedy the situation.

WHAT CAN HAPPEN TO THE POLICE EMPLOYEE?

If the complaint is sustained, appropriate action will be taken. This may lead to disciplinary action, which could range from a reprimand to dismissal. Additionally, the Chief of Police may consider additional training for the affected employee. If the employee's conduct was of a criminal nature, the matter may be referred to the District Attorney's Office for review.

HOW CAN THE COMPLAINANT ASSIST WITH THE INVESTIGATION?

The complainant can greatly assist the investigation by cooperating with the investigator. Complainants and witnesses frequently fail to return investigators' telephone calls and letters, and often fail to keep interview appointments. This results in unnecessary delays in completing the investigation, or worse, a completed investigation that does not include critical complainant and witness statements.

WHAT ABOUT NOTIFICATION?

California law does not permit the Police Department to release the contents of citizens' complaint investigations since these matters are deemed to be confidential. However, the complainant will be notified in writing within thirty days of the complaint's final disposition. The disposition categories are as follows:

Unfounded

When the investigation proves the act complained of did not occur.

Exonerated

When the investigation proves the act occurred, but that the act was justified, lawful and proper.

Not Sustained

When the investigation discloses insufficient evidence to sustain the complaint.

Sustained

When the investigation proves that the act complained of did occur and constitutes misconduct or improper job performance.

If the investigation is sustained, the complainant will be notified that appropriate action was taken to remedy the situation within 30 days of its conclusion.

If the complainant has any questions regarding the investigation including its disposition category, he or she is encouraged to contact the Professional Standards Unit. While some of the information may be deemed confidential, the Professional Standards Unit can often answer specific questions regarding the investigation.

IF DISSATISFIED WITH THE RESULTS, WHAT CAN BE DONE?

If the complainant believes that the investigation was not thoroughly investigated and believes that justice was not served, he or she has several recourses. In most instances, the complainant's dissatisfaction may be remedied by contacting the Professional Standards Unit, who can answer questions regarding the investigation. If the complainant is still dissatisfied with the investigation results, he or she is encouraged to contact the Chief of Police. If the complainant seeks further redress, they may contact the Huntington Beach City Council, The City Administrator, or in some cases, the Orange County District Attorney's Office or the Grand Jury.